

REMARKS

Applicants would like to thank the Examiner for the courtesy extended during the telephone interview with Angela Dallas-Pedretti (P-42,460) and Gary Connell on June 9, 1998. During the interview, the remaining issue under 37 U.S.C. § 102/103 was discussed, and possible claim amendments were discussed. During the interview, the Examiner indicated that the arguments presented during the interview were persuasive and that the claimed invention appeared to be novel and nonobvious over the cited art. The Examiner requested, however, that the claims be amended to more distinctly recite the claimed invention in order for the claims to be placed in a condition for allowance. Applicants have amended the claims substantially as discussed by the Examiner, Dr. Dallas-Pedretti and Mr. Connell on June 9, 1998, and respectfully request the Examiner's favorable consideration and allowance of the claims.

More particularly, in order to more clearly and distinctly recite the claimed invention, Applicants have amended the claims to more definitively state the characteristics of the claimed cell population.

First, Applicants have removed from the claims all occurrences of the phrase "can be" and have replaced the phrase with the term "is".

Second, Applicants have amended the claims to clearly set forth that the claimed pluripotent cell population is obtained by culturing embryonic stem cells to obtain embryoid body cells,

followed by culturing the embryoid body cells to produce the claimed pluripotent cell population. This recitation is intended only to clarify that the claimed pluripotent cell population is not the embryonic stem cell population, and that the claimed population is derived from the embryoid body population.

Third, at the Examiner's request, Applicants have removed the phrase "embryonic blast" to avoid confusion with the other recited cell populations having names including the term "embryonic" or "embryoid". Applicants have replaced "embryonic blast" with the term "pluripotent", so that the claims will clearly reflect when the claimed population is being referenced. Applicants note herein, however, that the claimed "pluripotent cell population" is intended to refer to the embryonic blast cell population which is referenced in the specification, and which is distinguished from an embryonic stem cell and an embryoid body cell therein. The term pluripotent is used throughout the specification, and in conjunction with the phrase "embryonic blast cell population" (as previously recited). See, for example, page 25, lines 11-21.

Finally, Applicants have left in the claims the reference to the "embryonic blast cell medium", since this term refers to a particular medium that is defined in the specification. Embryonic blast cell medium is disclosed, for example, on page 25, line 21, through page 26, line 24. It is noted that this section of the specification is followed by several pages of detailed discussion on the other culture conditions which are effective to produce the

claimed pluripotent cell population. A preferred embodiment of the recited embryonic blast cell medium is disclosed on page 29, lines 8-14.

Applicants submit that all pending claims are in condition for allowance and request the Examiner's favorable consideration and allowance thereof. Applicants have tried to respond to all issues raised by the Examiner in the June 9, 1998, telephone interview. Applicants' attorney requests the courtesy of a telephone call from the Examiner in the event any of the claims are not considered to be in a condition for allowance.

Respectfully submitted,

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